# LEGISLATIVE APPROPRIATIONS REQUEST

For Fiscal Years 2016 and 2017

Submitted to the

Governor's Office of Budget, Planning and Policy

& the Legislative Budget Board

By

State Commission on Judicial Conduct

July 28, 2014

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#### **Administrator's Statement**

84th Regular Session, Agency Submission, Version 1 Automated Budget and Evaluation System of Texas (ABEST)

#### 242 State Commission on Judicial Conduct

The State Commission on Judicial Conduct ("SCJC") is comprised of thirteen members: six judicial members appointed by the Supreme Court of Texas, two attorney members appointed by the State Bar of Texas, and five public members (who are neither judges nor attorneys) appointed by the Office of the Governor. The current members of the Commission include:

Honorable Steven L. Seider, Chair Justice of the Peace Member Dallas, TX

Honorable M. Sue Kurita, Vice-Chair County Court at Law Member El Paso, TX

Ms. Valerie Ertz, Secretary Public Member Dallas, TX

Ms. Patti Johnson Public Member Canyon Lake, TX

Ms. Karry K. Matson Public Member Georgetown, TX

Honorable Joel P. Baker Constitutional County Judge Member Tyler, TX

Honorable Edward J. Spillane, III Municipal Judge Member College Station, TX

Ms. Martha M. Hernandez Public Member Diboll, TX

Ms. Diane De La Torre Threadgill Public Member Midlothian, TX

#### Administrator's Statement

84th Regular Session, Agency Submission, Version 1 Automated Budget and Evaluation System of Texas (ABEST)

#### 242 State Commission on Judicial Conduct

Mr. Ricky A. Raven Attorney Member Houston, TX

Mr. Demetrius K. Bivins Attorney Member Houston, TX

Honorable Douglas S. Lang Appellate Judge Member Dallas, TX

Honorable Orlinda Naranjo District Judge Member Austin, TX

The mission of the SCJC is to promote public confidence in the integrity, independence, and impartiality of the judiciary while encouraging judges to maintain high ethical standards of conduct on and off the bench. The primary method for achieving this mission is through the investigation of allegations of judicial misconduct or disability. In appropriate cases where there is sufficient evidence that a willful or persistent violation of the Texas Code of Judicial Conduct has occurred, the SCJC may take disciplinary action against a judge through (i) a private or public sanction and/or an order of additional education; (ii) a suspension order; (iii) acceptance of a voluntary resignation agreement; or (iv) formal public proceedings that could result in a judge's public sanction, censure, or a recommendation for removal from office.

The SCJC has three funding priorities for the FY 2016/2017 biennium:

(1) Funding for an Additional Staff Attorney Position --- The SCJC continues to struggle with its efforts to conduct high quality, thorough investigations of cases alleging judicial misconduct or disability, and to conclude those investigations in a timely manner. The resources provided by an additional staff attorney to handle an ever-increasing caseload would be critical to achieving the agency's mission to protect the public and restore public confidence in the judiciary. The SCJC currently employs 4 staff attorneys who share in the responsibility of handling a pending caseload of more than 400 cases requiring thorough and full investigations, legal research and analysis, and written and oral presentation to SCJC members. They also provide legal advice and counsel to SCJC members; handle proceedings relating to the appeal of SCJC sanctions; assist special counsel at all stages of the formal proceeding process; handle hundreds of ethics calls each month from judges, attorneys, and others; handle ethics presentations at judicial training programs across the state throughout the year; and respond to Rule 12 requests for public information and requests for information from entities responsible for the appointment of judges to the bench and to committees and commissions. The ability of an additional staff attorney to take over a share of the full investigations currently pending would help reduce the delay in resolving judicial misconduct cases and ensure high quality, thorough investigations that provide the SCJC with the best information needed to make the most informed decisions regarding appropriate disciplinary action. This additional resource would also allow the SCJC to be more responsive to Complainants and Judges during the investigative process.

Amount over the biennium: \$164,900

#### Administrator's Statement

84th Regular Session, Agency Submission, Version 1 Automated Budget and Evaluation System of Texas (ABEST)

#### 242 State Commission on Judicial Conduct

(2) Increase Staff Attorney & General Counsel Salaries --- The SCJC needs to be able to retain existing attorney staff and attract well-qualified applicants in the future through the ability to offer more competitive starting salaries commensurate with the experience and expertise required for the unique work of an SCJC attorney. Specifically, staff attorney compensation should be brought in line with that of staff attorney positions at the Texas appellate courts and at judicial conduct agencies in other states. Staff attorneys at the appellate courts and other judicial conduct agencies earn no less than approximately \$80,000 per year. The salary for the General Counsel should also increase in order to reflect the responsibilities of the position and to remain in line with similar positions in other judicial conduct agencies and the appellate courts. SCJC attorney salaries currently fall within the \$64,000-\$70,000 range. The nature of the work performed and the expertise required of an SCJC General Counsel or SCJC attorney demands that management be able to hire and retain seasoned candidates with the practical legal experience that new attorneys would not have attained in their first 5 years out of law school. Additionally, experience has taught us that the ability to implement merit raise and other reward programs in the workplace increases employee longevity and productivity and reduces turnover.

Amount over the biennium: \$132,062

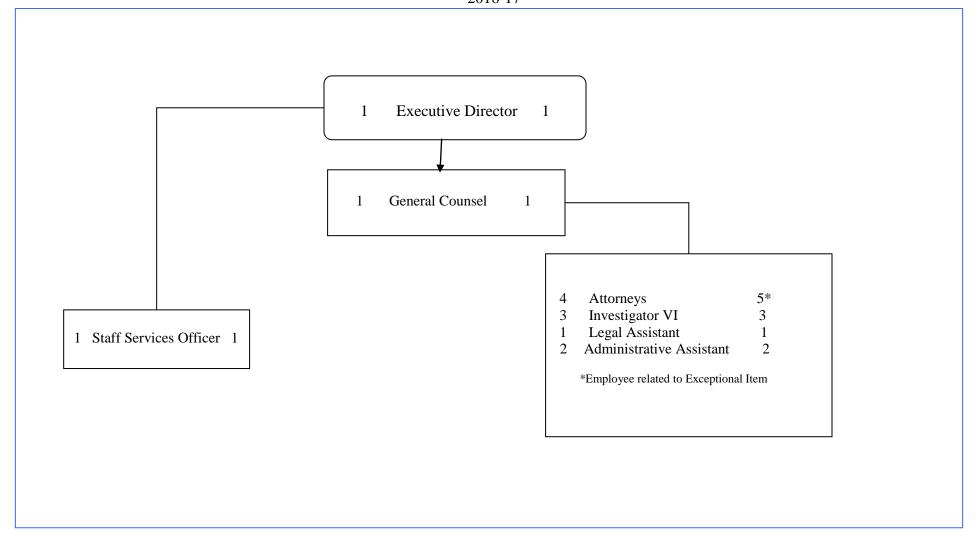
(3) Increase Funds for Commissioner Travel --- As travel costs, particularly lodging in downtown Austin, continue to rise, the SCJC finds that it needs additional funding to accommodate the increase in the maximum lodging rate for Austin, Texas, which is currently at \$120 per day and expected to increase. In order to fulfill its mission and achieve the agency's annual performance measure, Commission members travel to Austin six times per year to attend meetings that last between two and three days each. The agency's current travel budget for Commissioners was initially based on a maximum lodging rate of \$85 per day. The agency is seeking additional funding to cover the difference between the original \$85/day maximum lodging rate and the current \$120/day maximum lodging rate for its members to travel to Austin to attend six 3-day meetings per each year of the biennium.

Amount over the biennium: \$6,400

Note on 10% Reduction Schedule:

The SCJC is a very small agency (14 FTEs) within the judicial branch of government and has historically operated with limited resources. Close to 90% of the general revenue appropriated to the agency each year goes towards salaries, wages and other personnel costs. In addition, each year \$26,375 of the agency's general revenue is restricted pursuant to Appropriation Riders, which prevents the agency from using those funds for any other purpose than that stated in the Riders. As a result, any proposed reduction in general revenue would come after setting aside the restricted funds, which places the agency at a disadvantage from the start of this exercise. The agency would note that the cumulative effect of these reductions would likely impact on the agency's ability to attain the goal of 95% disposition of cases, and may contribute to larger caseloads and delays in case resolutions.

# State Commission on Judicial Conduct Organizational Chart 2016-17



# 2.A. Summary of Base Request by Strategy

84th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

# 242 State Commission on Judicial Conduct

Goal / Objective / STRATEGY	Exp 2013	Est 2014	Bud 2015	Req 2016	Req 2017
1 Administration and Enforcement					
1Administration and Enforcement					
1 ADMINISTRATION AND ENFORCEMENT	975,932	933,227	982,006	961,006	961,006
TOTAL, GOAL 1	\$975,932	\$933,227	\$982,006	\$961,006	\$961,006
TOTAL, AGENCY STRATEGY REQUEST	\$975,932	\$933,227	\$982,006	\$961,006	\$961,006
TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST*				\$0	\$0
GRAND TOTAL, AGENCY REQUEST	\$975,932	\$933,227	\$982,006	\$961,006	\$961,006
METHOD OF FINANCING:					
General Revenue Funds:					
1 General Revenue Fund	975,932	933,227	982,006	961,006	961,006
SUBTOTAL	\$975,932	\$933,227	\$982,006	\$961,006	\$961,006
TOTAL, METHOD OF FINANCING	\$975,932	\$933,227	\$982,006	\$961,006	\$961,006

<sup>\*</sup>Rider appropriations for the historical years are included in the strategy amounts.

# 2.B. Summary of Base Request by Method of Finance

84th Regular Session, Agency Submission, Version 1 Automated Budget and Evaluation System of Texas (ABEST)

		, ,			
Agency code: 242	Agency name: State Commi	ssion on Judicial Cond	uct		
METHOD OF FINANCING	Exp 2013	Est 2014	Bud 2015	Req 2016	Req 2017
GENERAL REVENUE					
1 General Revenue Fund					
REGULAR APPROPRIATIONS					
Regular Appropriations from MOF Table (2014-	15 GAA) \$0	\$947,156	\$947,156	\$0	\$0
<b>Comments:</b> Rider 3 Formal Proceedings and restricted to expenses related to Formal Proc					
Rider 4 Investigator Travel: \$5,000 each yea investigator travel expenses.	r of the biennium restricted for				
Regular Appropriations from MOF Table (2012-	13 GAA) \$948,169	\$0	\$0	\$0	\$0
<b>Comments:</b> Rider 3 Formal Proceedings and restricted to expenses related to Formal Proceedings					
Rider 4 Investigator Travel: \$5,000 each yea investigator travel expenses.	r of the biennium restricted for				
Regular Appropriations from MOF Table	\$0	\$0	\$0	\$961,006	\$961,006
Comments: Rider 3 Formal Proceedings and restricted to expenses related to Formal Proceedings	1 Appeals: \$21,375 of GR is			,	,
Rider 4 Investigator Travel: \$5,000 each yea investigator travel expenses.	r of the biennium restricted for				

# 2.B. Summary of Base Request by Method of Finance

84th Regular Session, Agency Submission, Version 1 Automated Budget and Evaluation System of Texas (ABEST)

	- Tatomica Budget and Evaluation System				
Agency code: 242	Agency name: State Commi	ssion on Judicial Cond	uct		
METHOD OF FINANCING	Exp 2013	Est 2014	Bud 2015	Req 2016	Req 2017
GENERAL REVENUE					
RIDER APPROPRIATION					
Rider 2, Unexpended Balances(2014-15 GAA)	\$0	\$(21,000)	\$21,000	\$0	\$0
<b>Comments:</b> Unused balances are a combinati Proceedings and Appeals and Rider 4 Investig					
Rider 2, Unexpended Balances(2012-13 GAA)	\$48,053	\$0	\$0	\$0	\$0
TRANSFERS					
Art IX, Sec 17.06 Salary Increase for General Stat	e Employees (2014-15 GAA) \$0	\$7,071	\$13,850	\$0	\$0
LAPSED APPROPRIATIONS					
Lapsed Appropriations	\$(20,290)	\$0	\$0	\$0	\$0
TOTAL, General Revenue Fund	\$975,932	\$933,227	\$982,006	\$961,006	\$961,006
TOTAL, ALL GENERAL REVENUE	\$975,932	\$933,227	\$982,006	\$961,006	\$961,006

# 2.B. Summary of Base Request by Method of Finance

84th Regular Session, Agency Submission, Version 1 Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 242	Agency name: St	tate Commission on J	udicial Condu	uct		
METHOD OF FINANCING	Exp	2013 F	st 2014	Bud 2015	Req 2016	Req 2017
GRAND TOTAL	\$97	5,932 \$9	33,227	\$982,006	\$961,006	\$961,006
FULL-TIME-EQUIVALENT POSITIONS REGULAR APPROPRIATIONS						
Regular Appropriations from MOF Table (2012-13 GAA)		14.0	0.0	0.0	0.0	0.0
Regular Appropriations from MOF Table (2014-15 GAA)		0.0	14.0	14.0	0.0	0.0
Regular Appropriations from MOF Table UNAUTHORIZED NUMBER OVER (BELOW) CAP		0.0	0.0	0.0	14.0	14.0
Unauthorized Number Over(Below) Cap		(0.6)	(1.0)	(1.0)	0.0	0.0
FOTAL, ADJUSTED FTES		13.4	13.0	13.0	14.0	14.0

NUMBER OF 100% FEDERALLY FUNDED FTEs

# 2.C. Summary of Base Request by Object of Expense

84th Regular Session, Agency Submission, Version 1 Automated Budget and Evaluation System of Texas (ABEST)

# 242 State Commission on Judicial Conduct

OBJECT OF EXPENSE	Exp 2013	Est 2014	Bud 2015	BL 2016	BL 2017
1001 SALARIES AND WAGES	\$790,129	\$777,723	\$817,200	\$817,200	\$817,200
1002 OTHER PERSONNEL COSTS	\$22,815	\$52,300	\$36,276	\$22,884	\$22,884
2001 PROFESSIONAL FEES AND SERVICES	\$2,160	\$1,200	\$1,080	\$1,080	\$1,080
2003 CONSUMABLE SUPPLIES	\$11,522	\$6,000	\$6,500	\$5,000	\$5,000
2004 UTILITIES	\$875	\$875	\$875	\$875	\$875
2005 TRAVEL	\$55,406	\$57,000	\$54,000	\$54,000	\$54,000
2006 RENT - BUILDING	\$2,277	\$2,500	\$2,500	\$2,500	\$2,500
2007 RENT - MACHINE AND OTHER	\$2,360	\$2,500	\$2,500	\$2,500	\$2,500
2009 OTHER OPERATING EXPENSE	\$88,388	\$33,129	\$61,075	\$54,967	\$54,967
OOE Total (Excluding Riders) OOE Total (Riders)	\$975,932	\$933,227	\$982,006	\$961,006	\$961,006
Grand Total	\$975,932	\$933,227	\$982,006	\$961,006	\$961,006

Date: **7/29/2014**Time: **6:17:53AM** 

84th Regular Session, Agency Submission, Version 1 Automated Budget and Evaluation System of Texas (ABEST)

Agency Code: 242 Agency: State Commission on Judicial Conduct

**BASE REQUEST STRATEGY:** 1-1-1 Administration and Enforcement

Code	Type of Expense	Expended 2013	Estimated 2014	<b>Budgeted 2015</b>	Requested 2016	Requested 2017
2	Postage	\$5,103	\$3,000	\$3,000	\$2,000	\$2,000
5	Westlaw/Lexis	3,700	3,700	4,200	5,300	5,300
6	Registrations/Training	9,155	1,925	2,500	2,000	2,000
7	Subscriptions/Periodicals	1,809	2,050	2,500	1,800	1,800
11	Misc. Operating Costs	67	500	600	567	567
15	Printing & Reproduction	10,570	600	1,150	450	450
24	Freight/Delivery	661	700	750	750	750
26	Books (expensed)	226	0	500	225	225
27	Membership Dues	2,705	1,600	1,700	1,700	1,700
29	Court Reporter Expenses	323	0	2,000	0	0
37	Computer Software / Upgrades	7,875	0	0	0	0
41	Telecommunication Charges	4,496	5,100	5,100	5,100	5,100
56	Computer Equipment - Expensed	11,503	1,000	1,000	0	0
64	SORM Assessment	1,064	1,000	1,100	1,100	1,100
73	Maintenance-Repair Computer Equip	4,591	0	1,000	0	0
94	Awards	400	0	400	400	400
117	Case Management System	4,000	4,000	4,000	4,000	4,000
153	Formal Proceedings/Appeal	6,721	454	21,375	21,375	21,375
176	Furniture and Equipment	5,926	0	0	0	0
195	Payroll Health Insurance Contrib.	7,493	7,500	8,200	8,200	8,200
	<b>Total, Operating Costs</b>	\$88,388	\$33,129	\$61,075	\$54,967	\$54,967

# 2.D. Summary of Base Request Objective Outcomes

84th Regular Session, Agency Submission, Version 1 Automated Budget and Evaluation system of Texas (ABEST)

# 242 State Commission on Judicial Conduct

Goal/ Objective / Outcome	Exp 2013	Est 2014	Bud 2015	BL 2016	BL 2017
1 Administration and Enforcement  I Administration and Enforcement					
KEY 1 Percentage of Cases Disposed					
	97.79%	91.60%	95.00%	95.00%	95.00%

# 2.E. Summary of Exceptional Items Request

84th Regular Session, Agency Submission, Version 1 Automated Budget and Evaluation System of Texas (ABEST) DATE: **7/29/2014**TIME: **6:17:54AM** 

Agency code: 242

Agency name: State Commission on Judicial Conduct

		2016			2017		Bien	nium
	GR and			GR and			GR and	
Priority Item	GR/GR Dedicated	All Funds	FTEs	GR Dedicated	All Funds	FTEs	GR Dedicated	All Funds
1 Funding to Hire Attorney	\$83,700	\$83,700		\$81,200	\$81,200		\$164,900	\$164,900
2 Funding for Competitive Salaries	\$66,031	\$66,031		\$66,031	\$66,031		\$132,062	\$132,062
3 Commission Travel Expenses	\$3,200	\$3,200		\$3,200	\$3,200		\$6,400	\$6,400
<b>Total, Exceptional Items Request</b>	\$152,931	\$152,931		\$150,431	\$150,431		\$303,362	\$303,362
Method of Financing								
General Revenue	\$152,931	\$152,931		\$150,431	\$150,431		\$303,362	\$303,362
General Revenue - Dedicated								
Federal Funds								
Other Funds								
	\$152,931	\$152,931		\$150,431	\$150,431		\$303,362	\$303,362

**Full Time Equivalent Positions** 

Number of 100% Federally Funded FTEs

# 2.F. Summary of Total Request by Strategy

84th Regular Session, Agency Submission, Version 1

\$961,006

Agency code:

TOTAL, AGENCY STRATEGY REQUEST

Goal/Objective/STRATEGY

1 Administration and Enforcement

1 Administration and Enforcement

TOTAL, GOAL 1

TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST

GRAND TOTAL, AGENCY REQUEST

242

1 ADMINISTRATION AND ENFORCEMENT

TIME: 6:17:54AM Automated Budget and Evaluation System of Texas (ABEST) Agency name: **State Commission on Judicial Conduct** Base **Total Request** Base **Exceptional Exceptional Total Request** 2016 2017 2016 2017 2016 2017 \$152,931 \$1,113,937 \$961,006 \$961,006 \$150,431 \$1,111,437 \$961,006 \$961,006 \$152,931 \$150,431 \$1,113,937 \$1,111,437 \$961,006 \$961,006 \$152,931 \$150,431 \$1,113,937 \$1,111,437

\$152,931

\$150,431

DATE:

\$1,113,937

\$1,111,437

7/29/2014

\$961,006

# 2.F. Summary of Total Request by Strategy

84th Regular Session, Agency Submission, Version 1 Automated Budget and Evaluation System of Texas (ABEST) DATE : TIME :

7/29/2014 6:17:54AM

Agency code: 242 Agen	ncy name: State Commission on Judici	ial Conduct				
Goal/Objective/STRATEGY	Base 2016	Base 2017	Exceptional 2016	Exceptional 2017	Total Request 2016	Total Request 2017
General Revenue Funds:						
1 General Revenue Fund	\$961,006	\$961.006	\$152,931	\$150,431	\$1,113,937	\$1,111,437
	\$961,006	\$961,006	\$152,931	\$150,431	\$1,113,937	\$1,111,437
TOTAL, METHOD OF FINANCING	\$961,006	\$961,006	\$152,931	\$150,431	\$1,113,937	\$1,111,437
FULL TIME EQUIVALENT POSITIONS	14.0	14.0	0.0	0.0	14.0	14.0

# 2.G. Summary of Total Request Objective Outcomes

Date: 7/29/2014 Time: 6:17:55AM

84th Regular Session, Agency Submission, Version 1 Automated Budget and Evaluation system of Texas (ABEST)

Agency code: 242	Agenc	y name: State Commission on	Judicial Conduct			
Goal/ Objective / Outo	come				T. 4.1	Total
	BL 2016	BL 2017	Excp 2016	Excp 2017	Total Request 2016	Request 2017
	ration and Enforcement ration and Enforcement					
KEY 1 Pero	centage of Cases Disposed					
	95.00%	95.00%	95.00%	95.00%	95.00%	95.00%

84th Regular Session, Agency Submission, Version 1 Automated Budget and Evaluation System of Texas (ABEST)

# 242 State Commission on Judicial Conduct

GOAL: 1 Administration and Enforcement Statewide Goal/Benchmark: 0 0

OBJECTIVE: 1 Administration and Enforcement Service Categories:

STRATEGY: 1 Administration and Enforcement Service: 01 Income: A.2 Age: B.3

CODE DESCRIPTION	Exp 2013	Est 2014	Bud 2015	BL 2016	BL 2017
	<b>r</b>				<u></u>
Output Measures:					
1 Number of Cases Pending	593.00	600.00	600.00	600.00	600.00
2 Number of Presentations on Judicial Ethics at Conferences and Meetings	25.00	25.00	25.00	25.00	25.00
3 Formal Proceeding, Suspension, or Amicus Curiae Cases	7.00	3.00	5.00	5.00	5.00
4 Cases Requesting Reconsideration Disposed	80.00	60.00	70.00	70.00	70.00
5 Number of Cases Disposed	1,103.00	1,090.00	1,100.00	1,100.00	1,100.00
6 Ethics Calls Taken by Staff	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00
Efficiency Measures:					
1 Average Time for Case Resolution	6.10	6.00	6.00	6.00	6.00
2 Average Cost Per Judge Assisted by the Amicus Curiae Program	0.00	0.00	0.00	0.00	0.00
Explanatory/Input Measures:					
1 Number of Cases Filed	1,132.00	1,190.00	1,200.00	1,200.00	1,200.00
2 Number of Post-sanction Appeals	1.00	0.00	1.00	1.00	1.00
3 Amicus Curiae Assistance	0.00	0.00	0.00	0.00	0.00
Objects of Expense:					
1001 SALARIES AND WAGES	\$790,129	\$777,723	\$817,200	\$817,200	\$817,200

84th Regular Session, Agency Submission, Version 1 Automated Budget and Evaluation System of Texas (ABEST)

# 242 State Commission on Judicial Conduct

GOAL: 1 Administration and Enforcement Statewide Goal/Benchmark: 0 0

OBJECTIVE: 1 Administration and Enforcement Service Categories:

STRATEGY: 1 Administration and Enforcement Service: 01 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2013	Est 2014	Bud 2015	BL 2016	BL 2017
-		<u>-</u>				
1002	OTHER PERSONNEL COSTS	\$22,815	\$52,300	\$36,276	\$22,884	\$22,884
2001	PROFESSIONAL FEES AND SERVICES	\$2,160	\$1,200	\$1,080	\$1,080	\$1,080
2003	CONSUMABLE SUPPLIES	\$11,522	\$6,000	\$6,500	\$5,000	\$5,000
2004	UTILITIES	\$875	\$875	\$875	\$875	\$875
2005	TRAVEL	\$55,406	\$57,000	\$54,000	\$54,000	\$54,000
2006	RENT - BUILDING	\$2,277	\$2,500	\$2,500	\$2,500	\$2,500
2007	RENT - MACHINE AND OTHER	\$2,360	\$2,500	\$2,500	\$2,500	\$2,500
2009	OTHER OPERATING EXPENSE	\$88,388	\$33,129	\$61,075	\$54,967	\$54,967
TOTAL,	OBJECT OF EXPENSE	\$975,932	\$933,227	\$982,006	\$961,006	\$961,006
Method o	of Financing:					
1	General Revenue Fund	\$975,932	\$933,227	\$982,006	\$961,006	\$961,006
SUBTO	TAL, MOF (GENERAL REVENUE FUNDS)	\$975,932	\$933,227	\$982,006	\$961,006	\$961,006
TOTAL,	METHOD OF FINANCE (INCLUDING RIDERS)				\$961,006	\$961,006
TOTAL,	METHOD OF FINANCE (EXCLUDING RIDERS)	\$975,932	\$933,227	\$982,006	\$961,006	\$961,006
FULL TI	ME EQUIVALENT POSITIONS:	13.4	13.0	13.0	14.0	14.0

84th Regular Session, Agency Submission, Version 1 Automated Budget and Evaluation System of Texas (ABEST)

#### 242 State Commission on Judicial Conduct

GOAL: 1 Administration and Enforcement Statewide Goal/Benchmark: 0 0

OBJECTIVE: 1 Administration and Enforcement Service Categories:

STRATEGY: 1 Administration and Enforcement Service: 01 Income: A.2 Age: B.3

CODE DESCRIPTION Exp 2013 Est 2014 Bud 2015 BL 2016 BL 2017

#### STRATEGY DESCRIPTION AND JUSTIFICATION:

The SCJC promotes public confidence in the integrity, independence, and impartiality of the judiciary while encouraging judges to maintain high ethical standards of conduct on and off the bench. The agency investigates allegations of judicial misconduct or disability, and takes appropriate action, including sanction, education, or the filing of formal proceedings that could result in the judge's censure or removal from office.

#### EXTERNAL/INTERNAL FACTORS IMPACTING STRATEGY:

Funding to enable the agency to conduct at least six meetings per year, to travel for investigations, and to retain current experienced staff are key factors in the agency's ability to meet its key performance measure.

84th Regular Session, Agency Submission, Version 1 Automated Budget and Evaluation System of Texas (ABEST)

SUMMARY TOTALS:					
OBJECTS OF EXPENSE:	\$975,932	\$933,227	\$982,006	\$961,006	\$961,006
METHODS OF FINANCE (INCLUDING RIDERS):				\$961,006	\$961,006
METHODS OF FINANCE (EXCLUDING RIDERS):	\$975,932	\$933,227	\$982,006	\$961,006	\$961,006
FULL TIME EQUIVALENT POSITIONS:	13.4	13.0	13.0	14.0	14.0

# 4.A. Exceptional Item Request Schedule

84th Regular Session, Agency Submission, Version 1 Automated Budget and Evaluation System of Texas (ABEST) DATE: 7/29/2014 TIME: 6:17:55AM

83,700

\$83,700

81,200

\$81,200

Agency code:	Agency name:		
	State Commission on Judicial Conduct		
CODE DES	CRIPTION	Excp 2016	Excp 2017
	Item Name: Funding to Hire Attorney		
	Item Priority: 1		
Includ	es Funding for the Following Strategy or Strategies: 01-01-01 Administration and Enforcement		
OBJECTS OF EX 1001 1002	KPENSE: SALARIES AND WAGES OTHER PERSONNEL COSTS	80,000 400	80,000 400
2009	OTHER OPERATING EXPENSE	3,300	800
Т	OTAL, OBJECT OF EXPENSE	\$83,700	\$81,200
METHOD OF FI	NANCING:		

#### **DESCRIPTION / JUSTIFICATION:**

1

The SCJC would benefit from the addition of another attorney to handle an increasing caseload.

General Revenue Fund

TOTAL, METHOD OF FINANCING

# **EXTERNAL/INTERNAL FACTORS:**

In addition to the General Counsel, the SCJC currently employs 4 staff attorneys who share in the responsibility of handling a pending caseload of close to 400 cases. An additional attorney would enable the agency to provide judges and the public with timely and appropriate resolutions to their complaints. The agency requests funding to hire an attorney to fill a vacant FTE.

#### 4.A. Exceptional Item Request Schedule

84th Regular Session, Agency Submission, Version 1 Automated Budget and Evaluation System of Texas (ABEST) DATE: **7/29/2014**TIME: **6:17:55AM** 

Agency code: 242	Agency name:		
	State Commission on Judicial Conduct		
CODE DESCRIPTION		Excp 2016	Excp 2017
	<b>Item Name:</b> Funding for Competitive Salaries		
	Item Priority: 2		
<b>Includes Funding for the Fol</b>	llowing Strategy or Strategies: 01-01-01 Administration and Enforcement		
OD IECTO OF EVDENCE			
DBJECTS OF EXPENSE: 1001 SALARIES AND V	WACES	65,056	65,056
			*
1002 OTHER PERSON		325	325
2009 OTHER OPERATI	ING EXPENSE	650	650
TOTAL, OBJECT OF	EXPENSE	\$66,031	\$66,031
METHOD OF FINANCING:			
1 General Revenue	Fund	66,031	66,031
TOTAL, METHOD OI	FFINANCING	\$66,031	\$66,031

#### **DESCRIPTION / JUSTIFICATION:**

The SCJC would benefit by allowing management to retain existing employees and to attract new employees through more competitive salaries.

#### **EXTERNAL/INTERNAL FACTORS:**

Staff attorney compensation should be brought in line with that of staff attorney positions at the Texas appellate courts and at judicial conduct agencies in other states. Staff attorneys at the appellate courts and other judicial conduct agencies earn approximately \$80,000 per year. SCJC attorney salaries currently fall within the \$64,000-\$70,000 range. This funding would also increase the General Counsel's salary to \$100,000 per year, which would be consistent with the responsibilities of the position and with other general counsel positions within the appellate courts and judicial conduct agencies in other states.

# 4.A. Exceptional Item Request Schedule

84th Regular Session, Agency Submission, Version 1 Automated Budget and Evaluation System of Texas (ABEST) DATE: **7/29/2014**TIME: **6:17:55AM** 

Agency code: 242	Agency name:		
	State Commission on Judicial Conduct		
CODE DESCRIPTION		Excp 2016	Excp 2017
	Item Name: Commission travel expenses Item Priority: 3		
<b>Includes Funding for the Follow</b>	ring Strategy or Strategies: 01-01-01 Administration and Enforcement		
OBJECTS OF EXPENSE:			
2005 TRAVEL		3,200	3,200
TOTAL, OBJECT OF EX	PENSE	\$3,200	\$3,200
METHOD OF FINANCING:			
1 General Revenue Fur	nd .	3,200	3,200
TOTAL, METHOD OF FI	NANCING	\$3,200	\$3,200

#### **DESCRIPTION / JUSTIFICATION:**

The SCJC is requesting additional funds to pay for increased travel expenses related to our commission meetings.

### **EXTERNAL/INTERNAL FACTORS:**

As travel costs, particularly lodging in downtown Austin continue to rise, our agency needs more funds to ensure our commissioners can travel to Austin for 6 meetings per year. This will ensure that judges and the public receive timely resolution to their complaints.

# 4.B. Exceptional Items Strategy Allocation Schedule

84th Regular Session, Agency Submission, Version 1 Automated Budget and Evaluation System of Texas (ABEST) DATE: **7/29/2014**TIME: **6:17:55AM** 

Agency code: 242	Agency name: State	Commission on Judicial Conduct		
Code Description			Excp 2016	Excp 2017
Item Name:	Funding to Hire A	attorney		
Allocation to Strategy:	1-1-1	Administration and Enforcement		
STRATEGY IMPACT ON	OUTCOME MEASURES:			
<u>1</u> Perc	entage of Cases Disposed		95.00%	95.00%
OUTPUT MEASURES:				
<u>1</u> Nun	nber of Cases Pending		550.00	500.00
OBJECTS OF EXPENSE:				
1001	SALARIES AND WAGES		80,000	80,000
1002	OTHER PERSONNEL COSTS		400	400
2009	OTHER OPERATING EXPENS	E	3,300	800
TOTAL, OBJECT OF EX	PENSE		\$83,700	\$81,200
METHOD OF FINANCIN	G:			
1	General Revenue Fund		83,700	81,200
TOTAL, METHOD OF FI	INANCING	_	\$83,700	\$81,200

# 4.B. Exceptional Items Strategy Allocation Schedule

84th Regular Session, Agency Submission, Version 1 Automated Budget and Evaluation System of Texas (ABEST) DATE: **7/29/2014**TIME: **6:17:55AM** 

Agency code: 242	Agency name: Sta	ate Commission on Judicial Conduct		
Code Description			Excp 2016	Excp 2017
Item Name:	Funding for Co	mpetitive Salaries		
Allocation to Strateg	y: 1-1-1	Administration and Enforcement		
STRATEGY IMPACT (	ON OUTCOME MEASURES:			
<u>1</u> Pe	rcentage of Cases Disposed		95.00%	95.00%
OBJECTS OF EXPENS	E:			
100	SALARIES AND WAGES		65,056	65,056
100	OTHER PERSONNEL COSTS	S	325	325
200	OTHER OPERATING EXPEN	ISE	650	650
TOTAL, OBJECT OF E	XPENSE		\$66,031	\$66,031
METHOD OF FINANC	ING:			
	l General Revenue Fund		66,031	66,031
TOTAL, METHOD OF	FINANCING		\$66,031	\$66,031

# 4.B. Exceptional Items Strategy Allocation Schedule

84th Regular Session, Agency Submission, Version 1 Automated Budget and Evaluation System of Texas (ABEST) DATE: **7/29/2014**TIME: **6:17:55AM** 

Agency code:	242	Agency name: State	e Commission on Judicial Conduct		
Code Description	1			Excp 2016	Excp 2017
Item Name:		Commission trave	el expenses		
Allocation to	o Strategy:	1-1-1	Administration and Enforcement		
STRATEGY IM	IPACT ON OU	TCOME MEASURES:			
	1 Percentag	ge of Cases Disposed		95.00%	95.00%
OBJECTS OF E	EXPENSE:				
	2005 T	RAVEL		3,200	3,200
TOTAL, OBJEC	CT OF EXPENS	SE		\$3,200	\$3,200
METHOD OF F	INANCING:				
	1 Gen	neral Revenue Fund		3,200	3,200
TOTAL, METH	OD OF FINAN	NCING		\$3,200	\$3,200

### 4.C. Exceptional Items Strategy Request

84th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE:

152,931

7/29/2014 6:17:56AM

150,431

Agency Code: 242 **State Commission on Judicial Conduct** Agency name: Statewide Goal/Benchmark: 0 - 0 GOAL: 1 Administration and Enforcement OBJECTIVE: 1 Administration and Enforcement Service Categories: 1 Administration and Enforcement Service: 01 Income: STRATEGY: A.2 B.3 Age: **CODE DESCRIPTION** Excp 2016 Excp 2017 STRATEGY IMPACT ON OUTCOME MEASURES: 95.00 % 1 Percentage of Cases Disposed 95.00 % **OUTPUT MEASURES:** 1 Number of Cases Pending 550.00 500.00 <u>3</u> Formal Proceeding, Suspension, or Amicus Curiae Cases 5.00 5.00 70.00 4 Cases Requesting Reconsideration Disposed 70.00 5 Number of Cases Disposed 1,100.00 1,100.00 6 Ethics Calls Taken by Staff 1,200.00 1,200.00 **EFFICIENCY MEASURES:** 1 Average Time for Case Resolution 6.00 6.00 **EXPLANATORY/INPUT MEASURES:** 1,200.00 1 Number of Cases Filed 1,200.00 2 Number of Post-sanction Appeals 1.00 1.00 **OBJECTS OF EXPENSE:** 1001 SALARIES AND WAGES 145,056 145,056 1002 OTHER PERSONNEL COSTS 725 725 2005 TRAVEL 3,200 3,200 2009 OTHER OPERATING EXPENSE 3,950 1,450 **Total, Objects of Expense** \$152,931 \$150,431 METHOD OF FINANCING:

1 General Revenue Fund

# 4.C. Exceptional Items Strategy Request

DATE:

TIME:

7/29/2014

6:17:56AM

84th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

Agency name: **State Commission on Judicial Conduct** 

Statewide Goal/Benchmark: 0 - 0 GOAL: 1 Administration and Enforcement

Service Categories: OBJECTIVE: 1 Administration and Enforcement

STRATEGY: 1 Administration and Enforcement Service: 01 Income: B.3 A.2 Age:

CODE DESCRIPTION Excp 2017 Excp 2016

**Total, Method of Finance** \$152,931 \$150,431

# EXCEPTIONAL ITEM(S) INCLUDED IN STRATEGY:

242

Funding to Hire Attorney

Agency Code:

Funding for Competitive Salaries

Commission travel expenses

# 6.A. Historically Underutilized Business Supporting Schedule

84th Regular Session, Agency Submission, Version 1 Automated Budget and Evaluation System of Texas (ABEST) Date:

Time:

7/29/2014

6:17:56AM

**State Commission on Judicial Conduct** 

#### COMPARISON TO STATEWIDE HUB PROCUREMENT GOALS

#### A. Fiscal Year 2012 - 2013 HUB Expenditure Information

Agency:

242

						Total					Total
Statewide	Procurement		HUB E	xpenditures	FY 2012	Expenditures		HUB Ex	penditures FY	2013	Expenditures
<b>HUB Goals</b>	Category	% Goal	% Actual	Diff	Actual \$	FY 2012	% Goal	% Actual	Diff	Actual \$	FY 2013
11.2%	Heavy Construction	0.0 %	0.0%	0.0%	\$0	\$0	0.0 %	0.0%	0.0%	\$0	\$0
21.1%	<b>Building Construction</b>	0.0 %	0.0%	0.0%	\$0	\$0	0.0 %	0.0%	0.0%	\$0	\$0
32.7%	Special Trade Construction	0.0 %	0.0%	0.0%	\$0	\$0	0.0 %	0.0%	0.0%	\$0	\$0
23.6%	Professional Services	20.0 %	0.0%	-20.0%	\$0	\$1,000	20.0 %	0.0%	-20.0%	\$0	\$1,080
24.6%	Other Services	33.0 %	45.2%	12.2%	\$7,842	\$17,334	33.0 %	53.4%	20.4%	\$10,425	\$19,522
21.0%	Commodities	12.6 %	58.7%	46.1%	\$3,314	\$5,643	12.6 %	30.2%	17.6%	\$4,455	\$14,736
	<b>Total Expenditures</b>		46.5%		\$11,156	\$23,977		42.1%		\$14,880	\$35,338

# B. Assessment of Fiscal Year 2012 - 2013 Efforts to Meet HUB Procurement Goals

#### **Attainment:**

Agency Code:

The State Commission on Judicial Conduct exceeded the applicable HUB goals in FY 2012 and FY 2013 in the Other Services and Commodities categories.

#### **Applicability:**

The Heavy Construction, Building Construction and Special Trade categories are not applicable to our agency.

#### **Factors Affecting Attainment:**

Our agency only made one purchase in the Professional Services Category for FY 2012 and FY 2013.

#### "Good-Faith" Efforts:

The State Commission on Judicial has made "good faith" efforts to consider HUB vendors in our purchases and will continue to do so.

# **6.I. Percent Biennial Base Reduction Options**

### 10 % REDUCTION

84th Regular Session, Agency Submission, Version 1 Automated Budget and Evaluation System of Texas (ABEST) Date: 7/29/2014 Time: 6:17:57AM

Agency code: 242 Agency name: State Commission on Judicial Conduct

	REVENUE LOS	S	REDUCTION AMOUNT			TARGET	
Item Priority and Name/ Method of Financing	2016	2017	Biennial Total	2016	2017	Biennial Total	
4.6							
1 Consumables							
Category: Administrative - Operating Expenses Item Comment: Reduce office supplies							
Strategy: 1-1-1 Administration and Enforcement							
General Revenue Funds							
1 General Revenue Fund	\$0	\$0	\$0	\$1,000	\$1,000	\$2,000	
General Revenue Funds Total	\$0	\$0	\$0	\$1,000	\$1,000	\$2,000	
Item Total	\$0	\$0	\$0	\$1,000	\$1,000	\$2,000	
FTE Reductions (From FY 2016 and FY 2017 Base R	equest)						
2 Registration Fees - Employee Training							
Category: Administrative - Operating Expenses							
Item Comment: Reduce staff training and conferen	ce registration.						
Strategy: 1-1-1 Administration and Enforcement							
General Revenue Funds							
1 General Revenue Fund	\$0	\$0	\$0	\$1,500	\$1,500	\$3,000	
General Revenue Funds Total	\$0	\$0	\$0	\$1,500	\$1,500	\$3,000	
Item Total	\$0	<b>\$0</b>	\$0	\$1,500	\$1,500	\$3,000	
FTE Reductions (From FY 2016 and FY 2017 Base R	equest)						

# 3 Membership Dues

Category: Administrative - Operating Expenses

**Item Comment:** Eliminate paying of staff attorneys' bar dues.

# **6.I. Percent Biennial Base Reduction Options**

### 10 % REDUCTION

84th Regular Session, Agency Submission, Version 1 Automated Budget and Evaluation System of Texas (ABEST) Date: 7/29/2014 Time: 6:17:57AM

Agency code: 242 Agency name: State Commission on Judicial Conduct

	REVENUE LOSS		REDUCTION AMOUNT			TARGET	
Item Priority and Name/ Method of Financing	2016	2017	Biennial Total	2016	2017	Biennial Total	
Strategy: 1-1-1 Administration and Enforcement							
General Revenue Funds							
1 General Revenue Fund	\$0	\$0	\$0	\$1,500	\$1,500	\$3,000	
General Revenue Funds Total	<b>\$0</b>	<b>\$0</b>	\$0	\$1,500	\$1,500	\$3,000	
Item Total	<b>\$0</b>	\$0	\$0	\$1,500	\$1,500	\$3,000	
FTE Reductions (From FY 2016 and FY 2017 Base R	dequest)						
4 Travel							
Category: Administrative - Travel  Item Comment: Elimination of 2 of the 6 commis	sion meetings in Austin.						
Strategy: 1-1-1 Administration and Enforcement							
General Revenue Funds							
1 General Revenue Fund	\$0	\$0	\$0	\$15,000	\$15,000	\$30,000	
General Revenue Funds Total	<b>\$0</b>	<b>\$0</b>	\$0	\$15,000	\$15,000	\$30,000	
Item Total	<b>\$0</b>	<b>\$0</b>	\$0	\$15,000	\$15,000	\$30,000	

# FTE Reductions (From FY 2016 and FY 2017 Base Request)

# 5 Salaries & Wages

Category: Administrative - FTEs / Layoffs

**Item Comment:** Reduce Payroll Costs by eliminating 1-2 positions.

As a small agency with only 13 employees, any reduction in staff would have an adverse impact on the agency's performance measures and its ability to perform its core functions.

# 6.I. Percent Biennial Base Reduction Options

# 10 % REDUCTION

84th Regular Session, Agency Submission, Version 1 Automated Budget and Evaluation System of Texas (ABEST) Date: 7/29/2014 Time: 6:17:57AM

Agency code: 242 Agency name: State Commission on Judicial Conduct

	REVENUE LOSS		REDUCTION AMOUNT			TARGET	
Item Priority and Name/ Method of Financing	2016	2017	Biennial Total	2016	2017	Biennial Total	
Strategy: 1-1-1 Administration and Enforcement							
General Revenue Funds							
1 General Revenue Fund	\$0	\$0	\$0	\$75,715	\$75,716	\$151,431	
General Revenue Funds Total	\$0	<b>\$0</b>	\$0	\$75,715	\$75,716	\$151,431	
Item Total	\$0	\$0	\$0	\$75,715	\$75,716	\$151,431	
FTE Reductions (From FY 2016 and FY 2017 Base Re	equest)						
AGENCY TOTALS							
General Revenue Total				\$94,715	\$94,716	\$189,431	\$189,431
Agency Grand Total	\$0	<b>\$0</b>	\$0	\$94,715	\$94,716	\$189,431	
Difference, Options Total Less Target							
Agency FTE Reductions (From FY 2016 and FY 2	017 Base Request)						

# 7.B. Direct Administrative and Support Costs

84th Regular Session, Agency Submission, Version 1 Automated Budget and Evaluation System of Texas (ABEST) DATE: **7/29/2014** TIME: **6:17:56AM** 

Agency code: 242		Agency name: State Commission on Judicial Conduct					
Strategy		Exp 2013	Est 2014	Bud 2015	BL 2016	BL 2017	
1-1-1	Administration and Enforcement						
OBJECTS OF EXPENS	SE:						
1001 SALARIES A	AND WAGES	\$101,510	\$101,750	\$103,350	\$103,350	\$103,350	
2001 PROFESSIO	NAL FEES AND SERVICES	1,000	1,000	1,000	1,000	1,000	
2003 CONSUMAE	BLE SUPPLIES	500	500	500	500	500	
2007 RENT - MAG	CHINE AND OTHER	278	278	300	300	300	
2009 OTHER OPE	ERATING EXPENSE	300	300	300	300	300	
Total, Ob	jects of Expense	\$103,588	\$103,828	\$105,450	\$105,450	\$105,450	
METHOD OF FINANC	ZING:						
1 General Reve	enue Fund	103,588	103,828	105,450	105,450	105,450	
Total, Me	ethod of Financing	\$103,588	\$103,828	\$105,450	\$105,450	\$105,450	
FULL-TIME-EQUIVA	LENT POSITIONS (FTE):	1.4	1.4	1.4	1.4	0.0	

#### DESCRIPTION

The Administrative and Support costs in this strategy are related to the percentage of salaries and related operating costs of agency personnel performing administrative functions. Percentages for Direct Administrative Salary costs are as follows:

Executive Director: 25% General Counsel : 10% Staff Services Officer: 100% Senior Investigator: 5%

# 7.B. Direct Administrative and Support Costs

84th Regular Session, Agency Submission, Version 1 Automated Budget and Evaluation System of Texas (ABEST) DATE: **7/29/2014** TIME: **6:17:56AM** 

Agency code: 242 Agency name: State Commission on Judicial Conduct

		Agency name. State commission on varieties conduct					
Exp 2013	Est 2014	Bud 2015	BL 2016	BL 2017			
\$101,510	\$101,750	\$103,350	\$103,350	\$103,350			
\$1,000	\$1,000	\$1,000	\$1,000	\$1,000			
\$500	\$500	\$500	\$500	\$500			
\$278	\$278	\$300	\$300	\$300			
\$300	\$300	\$300	\$300	\$300			
\$103,588	\$103,828	\$105,450	\$105,450	\$105,450			
\$103,588	\$103,828	\$105,450	\$105,450	\$105,450			
\$103,588	\$103,828	\$105,450	\$105,450	\$105,450			
1.4	1.4	1.4	1.4	0.0			
	\$101,510 \$1,000 \$500 \$278 \$300 <b>\$103,588</b> \$103,588	\$101,510 \$101,750 \$1,000 \$1,000 \$500 \$500 \$278 \$278 \$300 \$300 \$103,588 \$103,828 \$103,588 \$103,828	\$101,510 \$101,750 \$103,350 \$1,000 \$1,000 \$1,000 \$500 \$500 \$500 \$278 \$278 \$300 \$300 \$300 \$300 \$103,588 \$103,828 \$105,450 \$103,588 \$103,828 \$105,450	\$101,510 \$101,750 \$103,350 \$103,350 \$1,000 \$1,000 \$1,000 \$1,000 \$500 \$500 \$500 \$500 \$278 \$278 \$300 \$300 \$300 \$300 \$300 \$300 \$103,588 \$103,828 \$105,450 \$105,450 \$103,588 \$103,828 \$105,450 \$105,450			